

REMARKS

Claims 8 and 15-21 are pending and under consideration. Claim 8 and 15-21 were amended. Support for the amendments to the claims may be found in the claims as originally filed. Since the amendments to the claims are being made at the behest of the Examiner, this amendment is believed to place the application in condition for allowance, and entry therefore is respectfully requested. In the alternative, entry of this amendment is requested as placing the application in better condition for appeal by, at least, reducing the number of issues outstanding. Further reconsideration is requested based on the foregoing amendment and the following remarks.

Interview Summary

The Applicants submit the following summary of the Office interview that took place November 8, 2005 between the undersigned representative of the Applicants and the Examiner.

Office Conference:

The Applicant thanks the Examiner for the many courtesies extended to the undersigned representative of the Applicant during the telephone interview that took place November 8, 2005.

Among the issues discussed during that interview were the above-mentioned amendment to claim 8 and the patentability of the claims over the cited references, as discussed more fully below. Since claim 8 has been amended substantially as suggested by the Examiner, it is believed to be in condition for allowance. The balance of the claims have also been amended in a manner substantially similar to claim 8, and are thus also believed to be allowable.

Response to Arguments:

The Applicants appreciate the consideration given to their arguments. The Applicants, however, are disappointed that their arguments were not found to be persuasive. The final Office Action continues to assert that Ueda possesses a single interface that is capable of doing the selecting, identifying, and processing steps. This is submitted to be incorrect, as discussed more fully below. Further reconsideration is thus requested.

Claim Rejections - 35 U.S.C. § 103:

Claims 8 and 15-21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,337,712 to Shiota et al. (hereinafter "Shiota") in view of U.S. Patent No. 6,429,923 to Ueda et al. (hereinafter "Ueda"). The rejection is traversed. Reconsideration is earnestly solicited.

Claim 8 recites:

Identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera.

Neither Shiota nor Ueda "identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera," as recited in claim 1. As Shiota, rather, describes at column 3, lines 42-46:

More specifically, means for determining a file name using the camera code to identify the digital camera used for recording the image data, the possessor code representing the possessor of the digital camera, the date code representing the date of recording, or the like, is possible. A variety of information used to determine such a file name may be input with a keyboard when the image data are transferred.

Thus, Shiota has no real interest in what *type* of digital camera might have been used, only in creating a file name using the camera code to identify the digital camera used for recording the image data, the possessor code representing the possessor of the digital camera, the date code representing the date of recording, or the like. Shiota is really after a unique name for the file in which the images will be stored, not the type of digital camera. Furthermore, Shiota expects the user to enter the file name with a keyboard, not by reading information pre-stored in either a memory of the digital camera or the digital camera itself.

Finally, Shiota seeks merely to differentiate the names of files used to store images submitted by different owners. In particular, as described in Shiota at column 3, lines 28-34:

Furthermore, if picture image data in the memory card of a digital camera have file names such as 0001.JPG, 0002.JPG, 0003.JPG and so on in the order of recording, it is possible that the file names are exactly the same as file names of picture image data transferred from another digital camera, when the picture image data are transferred to the image server under the original file names.

Therefore, as described at column 3, lines 34-41,

Therefore, it is preferable that the picture image storing and utilizing system of the present invention further comprises file name assigning means for assigning a file name which is used for storing the image data in the image server and different from the file name of the image data before the image data are transferred to the picture image data transferred to the image server.

Thus, Shiota seeks merely to come up with unique file names for different owners' images, based on, for example, their camera type. This is to be contrasted with the claimed invention, which recites "interface means is a single means to identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said

digital camera."

In any case, Shiota would prefer to relieve the user of the necessity of entering any information via a keyboard entirely, as described at column 3, lines 49-55:

Some digital cameras add the date of recording or the like to picture image data as recording property information, and store the picture image data together with the recording property information in built-in memories or memory cards. In this case, a file name may be determined automatically by reading such recording property information, without requesting a user to input the information.

Ueda, similarly, has no interest in what *type* of digital camera might have been used to take the pictures either. Rather, as Ueda describes at column 1, lines 65-67:

The first objective of the present invention is to make the procedure to input or record information regarding the orderer such as the name of the orderer more simple.

Thus, Ueda is interested in recording information regarding the orderer such as the name of the orderer, not what type of digital camera might have been used to take the pictures. Since neither Shiota nor Ueda identify the *type* of digital camera by reading information pre-stored in either a memory of the digital camera or the digital camera itself separately, their combination cannot, either. Thus, even if Shiota and Ueda were combined, as proposed in the Office Action, the claimed invention would not result.

Finally, the purpose of Ueda is to minimize the amount of customer information provided to the picture processor to protect the customer from, for example, stalkers, as described at column 2, lines 59-67, continuing at column 3, line 1:

With the invention described in Item (1), only by transmitting the digital image data used as a document, the order contents information regarding order contents of the photographic processing for the digital image data and the type and the card number of the credit card owned by the orderer, the photographic processing can be ordered without going to a photo shop or a photofinisher. Further, it is not necessary to write a name with katakana character and there is no fear that the name and the contact place are surreptitiously looked by a stalker.

Ueda thus teaches away from providing any more information than simply the digital image data used as a document, the order contents information regarding order contents of the photographic processing for the digital image data, and the type and the card number of the credit card owned by the orderer, since information like the type of digital camera used to take the pictures could be used by a stalker to find the orderer.

Persons of ordinary skill in the art would thus have been deterred from modifying either

Shiota or Ueda to acquire information pertaining to the type of digital camera used to take the pictures, since to do so would have negated the express purpose of Ueda of protecting the orderer from stalkers.

Claim 8 recites further:

Select a reading method software corresponding to said identified type of said digital camera from a plural reading method software that are stored.

Neither Shiota nor Ueda select, "a reading method software corresponding to said identified type of said digital camera from a plural reading method software that are stored," as discussed in the above-mentioned Interview of November 8, 2005.

Finally, claim 8 recites:

Read said photographed image data recorded in said memory of said digital camera using said selected reading method software corresponding to said identified type of said digital camera.

Neither Shiota nor Ueda read, "said photographed image data recorded in said memory of said digital camera using said selected reading method software corresponding to said identified type of said digital camera," as discussed in the above-mentioned Interview of November 8, 2005. Claim 8 is submitted to be allowable. Withdrawal of the rejection of claim 8 is earnestly solicited.

Claim 15:

Claim 15 recites:

Selecting, using said single interface unit, a reading method corresponding to the digital camera from the read ID data.

Neither Shiota nor Ueda "identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera," as discussed above with respect to claim 8. Since neither Shiota nor Ueda "identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera," they cannot select, "using said single interface unit, a reading method corresponding to the digital camera from the read ID data," as recited in claim 15, either.

Claim 15 recites further:

Reading a photographed image data recorded in a memory of the digital camera using the selected reading method software corresponding to the digital camera from a plural reading method software that are stored.

Neither Shiota nor Ueda teach, disclose, or suggest, “reading a photographed image data recorded in a memory of the digital camera using the selected reading method software corresponding to the digital camera from a plural reading method software that are stored,” as discussed above with respect to claim 8. Claim 15 is submitted to be allowable, for at least those reasons discussed above with respect to claim 8. Withdrawal of the rejection of claim 15 is earnestly solicited.

Claims 16 and 17:

Claim 16 recites:

Determining whether a transfer service is to be charged for the preserving using the ID data read, wherein the transfer service is charged when the ID data read does not match an ID corresponding to the digital camera.

Neither Shiota nor Ueda “identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera,” as discussed above with respect to claim 8. Since neither Shiota nor Ueda “identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera,” they cannot determine, “whether a transfer service is to be charged for the preserving using the ID data read, wherein the transfer service is charged when the ID data read does not match an ID corresponding to the digital camera,” as recited in claim 16, either. Claim 16 is submitted to be allowable, for at least those reasons discussed above with respect to claim 8. Withdrawal of the rejection of claim 16 is earnestly solicited.

Claim 17 depends from claim 16 and adds additional distinguishing elements. Claim 17, for example, recites:

Identifying a type of the digital camera by reading information pre-stored in at least one of the memory of the digital camera and the digital camera.

Neither Shiota nor Ueda identify, “a type of the digital camera by reading information pre-stored in at least one of the memory of the digital camera and the digital camera,” as discussed above with respect to claim 8. Claim 17 is thus also submitted to be allowable, for at least those reasons discussed above with respect to claim 8. Withdrawal of the rejection of claim 17 is earnestly solicited.

Claim 18:

Claim 18 recites:

Selects a reading method software corresponding to the ID data of the digital

camera from a plural reading method software that are stored.

Neither Shiota nor Ueda “identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera,” as discussed above with respect to claim 8. Since neither Shiota nor Ueda “identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera,” they cannot select, “a reading method software corresponding to the ID data of the digital camera from a plural reading method software that are stored,” as recited in claim 18, either.

Claim 18 recites further:

Reads the photographed image data recorded in the memory of the digital camera using the selected reading method software.

Neither Shiota nor Ueda reads, “the photographed image data recorded in the memory of the digital camera using the selected reading method software,” as discussed above with respect to claim 8. Claim 18 is submitted to be allowable, for at least those reasons discussed above with respect to claim 8. Withdrawal of the rejection of claim 18 is earnestly solicited.

Claims 19 and 20:

Claim 19 recites:

Determines whether a transfer service is to be charged for the preserving using the ID data read.

Neither Shiota nor Ueda “identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera,” as discussed above with respect to claim 8. Since neither Shiota nor Ueda “identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera,” they cannot determine, “whether a transfer service is to be charged for the preserving using the ID data read,” as recited in claim 19, either. Claim 19 is submitted to be allowable, for at least those reasons discussed above with respect to claim 8. Withdrawal of the rejection of claim 19 is earnestly solicited.

Claim 20 depends from claim 19 and adds additional distinguishing elements. Claim 20, for example, recites:

Identifies a type of the digital camera by reading information pre-stored in at least one of the memory of the digital camera and the digital camera.

Neither Shiota nor Ueda identify, “a type of the digital camera by reading information pre-

stored in at least one of the memory of the digital camera and the digital camera,” as discussed above with respect to claim 8. Claim 20 is thus also submitted to be allowable, for at least those reasons discussed above with respect to claim 8. Withdrawal of the rejection of claim 20 is earnestly solicited.

Claim 21:

Claim 21 recites:

Identifies a type of the digital camera by reading information pre-stored in at least one of the memory of the digital camera and the digital camera.

Neither Shiota nor Ueda, “identifies a type of the digital camera by reading information pre-stored in at least one of the memory of the digital camera and the digital camera,” as discussed above with respect to claim 8.

Claim 21 recites further:

Selects a reading method software corresponding to the identified type of the digital camera from a plural reading method software that are stored.

Neither Shiota nor Ueda select, “a reading method software corresponding to the identified type of the digital camera from a plural reading method software that are stored,” as discussed above with respect to claim 8.

Finally, claim 21 recites:

Reads the photographed image data recorded in the memory of the digital camera using the selected reading method software corresponding to the identified type of the digital camera.

Neither Shiota nor Ueda read, “the photographed image data recorded in the memory of the digital camera using the selected reading method software corresponding to the identified type of the digital camera,” as discussed above with respect to claim 8. Claim 21 is submitted to be allowable, for at least those reasons discussed above with respect to claim 8. Withdrawal of the rejection of claim 21 is earnestly solicited.

Conclusion:

Accordingly, in view of the reasons given above, it is submitted that all of claims 8 and 15-21 are allowable over the cited references. Allowance of all claims 8 and 15-21 and of this entire application is therefore respectfully requested.

If there are any formal matters remaining after this response, the Examiner is requested

to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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